



## CITIZENS COMMITTEE TO COMPLETE THE REFUGE

453 Tennessee Lane, Palo Alto CA 94306

Tel 650 493-5540

Fax 650 494-7640

Florence@refuge.org

Cynthia Bryant, Director, Office of Planning and Research  
Terry Roberts, State Clearinghouse Director, Office of Planning and Research  
P.O. Box 3044  
Sacramento, CA 95812-3044  
Fax#: 916-323-3018  
E-mail: CEQA.GHG@opr.ca.gov

February 2, 2009

**Re: Comments on the January 9, 2009 Preliminary Draft California Environmental Quality Act (CEQA) Guideline Amendments for Greenhouse Gas Emissions (GGE)**

Dear Ms. Bryant and Ms. Roberts,

Thank you for the opportunity to provide comments on the Preliminary Draft Guideline Amendments for Greenhouse Gas Emissions (Draft Amendments) and for extending the public comment period, and we commend and support your attempts to reach out to the public to obtain our comments. We strongly support the acknowledgement of the correlation between forest resources and reduction of global warming through the incorporation of an evaluation of impacts to forest resources in Appendix G of the Guidelines.

We are, however, curious and concerned about the purposeful (?) omission of requiring the evaluation of predictable and foreseeable impacts that will result from climate change and global warming (the consequences of increasing greenhouse gas emissions). For example, the current CEQA Guidelines Environmental Checklist Form (Appendix G) includes a sample question under Section IX Hydrology and Water Quality, that asks whether a proposed project will place housing within a 100-year flood hazard area, however, the Office of Planning and Research (OPR) has not proposed inclusion of evaluation of whether a project will place housing (or any other form of publicly occupied structures) within an area of predicted sea level rise inundation.

Within the San Francisco Bay area, sea level rise inundation maps have been prepared that conservatively indicate what areas may be inundated (very conservatively as they are based upon a one meter sea level rise as opposed to the state amended estimate of 1.4 meters, and don't include other factors such as wind driven waves and fluvial flooding). Certainly any proposals to locate publicly occupied structures within areas of predicted sea level rise are a public safety issue and the CEQA Guidelines should require an evaluation of this factor. (Sea level rise should also be discussed under Section XIV. Public Services because location of development within an area of predicted sea level rise will result in the need for predictable future upgrades to existing flood control measures or the need for completely new flood control measures.)

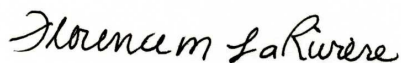
Under Section IV. Biological Resources, the Guidelines should be amended to incorporate specific language to include an evaluation of a project's impacts to upland transgression zones for coastal, estuarine, and tidal marsh species.

We are extremely troubled by the proposed text for Section 15093 (d), "When an agency makes a statement of overriding considerations, the agency may consider local adverse environmental effects in the context of region-wide or statewide benefits." Who makes the determination of "region-wide or statewide" benefits and how do the perceived benefits relate to the "local adverse environmental effects?" This section should be deleted as it is ripe for misuse.

In regards to the discussion of "Mitigation Measures Related to Greenhouse Gas Emissions" (Section 15126.4 (c)), we urge OPR to provide more guidance regarding what are appropriate types of mitigation measures to offset GGEs to avoid abuse. For example, we would hope it is considered inappropriate for growth inducing projects located miles away from any public transit infrastructure to be able to mitigate significant increases in Vehicle Miles Travelled (VMTs) and GGEs through purchase of carbon offsets. Stronger guidance must be provided for lead agencies regarding the desirability of providing on-site mitigation or at least very regionally-based mitigation measures for most projects, and any measure considered must be enforceable, measurable, and it should be required that mitigation measures are tracked for compliance.

Please add the name and address of our organization to your list of contacts for the SB 97 CEQA Guideline process.

Sincerely,

A handwritten signature in cursive script that reads "Florence M. LaRiviere".

Florence M. LaRiviere  
Chairperson

The Citizens Committee to Complete the Refuge has an ongoing history of interest in wetlands protection, wetlands restoration and wetlands acquisition. The Committee was originally formed in 1965. Our senior members were part of a group of citizens who became alarmed at the degradation of the Bay and its wetlands. We joined together, and with the support of Congressman Don Edwards, requested that Congress establish a Wildlife Refuge. The process took 7 long years and in 1972 legislation was passed to form the San Francisco Bay National Wildlife Refuge. We turned to Mr. Edwards again, and in 1988 (the first year he submitted it) his legislation to double the size of the Refuge was signed into law.

Our membership is now approximately 2,000 people and we have the support of 40 local and national organizations--Leagues of Women Voters, hunters, environmental groups, etc. While we are still interested in the acquisition of land for the Refuge we recognize the Bay does not exist in isolation from surrounding natural resources. Watershed protection is absolutely necessary.

We have taken an active interest in Clean Water Act (CWA) and California Environmental Quality Act (CEQA) regulations, policies, implementation and enforcement. We have established a record of providing information regarding possible CWA violations to both the Corps and EPA, regularly responding to Corps public notices and informing the public of important local CWA issues. We also respond to CEQA Negative Declarations and Environmental Impact Reports (EIRs). All of these actions demonstrate our ongoing commitment to wetland issues, towards protecting the public interest in wetlands, in Section 404 and 401 of the CWA, and CEQA.

